

[] to _____ (*name of person*), _____, (*title of person authorized to receive service. Use this alternative when the defendant is a corporation or an association subject to a suit under a common name, a land grant board of trustees, the State of New Mexico or any political subdivision*).

Fees: _____

Signature of person making service

Title (*if any*)

Subscribed and sworn to before me this _____ day of _____, _____²

Judge, notary or other officer
authorized to administer oaths

Official title

USE NOTE

1. Unless otherwise ordered by the court, this return is not to be filed with the court prior to service of the summons and complaint on the defendant.

2. If service is made by the sheriff or a deputy sheriff of a New Mexico county, the signature of the sheriff or deputy sheriff need not be notarized.

[Adopted effective August 1, 1988; as amended by Supreme Court Order 05-8300-01, effective March 1, 2005; by Supreme Court Order 07-8300-16, effective August 1, 2007; by Supreme Court Order No. 12-8300-026, effective for all cases filed or pending on or after January 7, 2013.]

FXR

4-206. Summons.

[For use with District Court Civil Rule 1-004 NMRA]

SUMMONS FIRST AMENDED COMPLAINT	
District Court: EIGHTH JUDICIAL Taos County, New Mexico Court Address: 105 Albright Street, Ste. N Taos, New Mexico 87571 Court Telephone No.: 575-758-3173	Case Number: D.820.CV.2014.00300 Assigned Judge: The Honorable Sarah Backus
WAYNE RUTHERFORD, Plaintiff, v. THEODORE PUTNAM, CTL THOMPSON, INC. JOHN DOE and AGNES YAZZIE, Defendant.	Defendant JOHN DOE

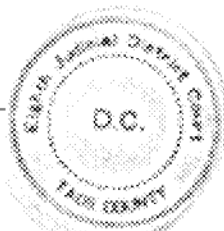
TO THE ABOVE NAMED DEFENDANT(S): Take notice that

1. A lawsuit has been filed against you. A copy of the lawsuit is attached. The Court issued this Summons.
2. You must respond to this lawsuit in writing. You must file your written response with the Court no later than thirty (30) days from the date you are served with this Summons. (The date you are considered served with the Summons is determined by Rule 1-004 NMRA) The Court's address is listed above.
3. You must file (in person or by mail) your written response with the Court. When you file your response, you must give or mail a copy to the person who signed the lawsuit.
4. If you do not respond in writing, the Court may enter judgment against you as requested in the lawsuit.
5. You are entitled to a jury trial in most types of lawsuits. To ask for a jury trial, you must request one in writing and pay a jury fee.
6. If you need an interpreter, you must ask for one in writing.
7. You may wish to consult a lawyer. You may contact the State Bar of New Mexico for help finding a lawyer at www.nmbar.org; 1-800-876-6657; or 1-505-797-6066.

Dated at Taos, New Mexico, this 3rd day of September, 2014.

BERNABE P. STRUCK

CLERK OF DISTRICT COURT

By: *B. Struck*
Court Clerk II/s/ William S. FergusonSignature of Attorney for Plaintiff/Pro Se Party
WILLIAM S. FERGUSON

RETURN¹

[] to _____, [parent] [guardian] [custodian] [conservator] [guardian ad litem] of

defendant _____ (*used when defendant is a minor or an incompetent person*).

[] to _____ (*name of person*), _____, (*title of person authorized to receive service. Use this alternative when the defendant is a corporation or an association subject to a suit under a common name, a land grant board of trustees, the State of New Mexico or any political subdivision*).

Fees: _____

Signature of person making service

Title (*if any*)

Subscribed and sworn to before me this _____ day of _____, _____²

Judge, notary or other officer
authorized to administer oaths

Official title

USE NOTE

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4-206. Summons.

FXR

[For use with District Court Civil Rule 1-004 NMRA]

SUMMONS FIRST AMENDED COMPLAINT	
District Court: EIGHTH JUDICIAL Taos County, New Mexico Court Address: 105 Albright Street, Ste. N Taos, New Mexico 87571 Court Telephone No.: 575-758-3173	Case Number: D.820.CV.2014.00300 Assigned Judge: The Honorable Sarah Backus
WAYNE RUTHERFORD, <div style="text-align: center;">Plaintiff,</div> v. THEODORE PUTNAM, CTL THOMPSON, INC. JOHN DOE and AGNES YAZZIE, <div style="text-align: center;">Defendant. </div>	Defendant THEODORE PUTNAM 14555 E. 12 th Ave. Aurora, CO

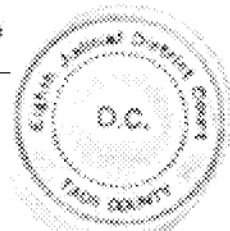
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4. If you do not respond in writing, the Court may enter judgment against you as requested in the lawsuit.
5. You are entitled to a jury trial in most types of lawsuits. To ask for a jury trial, you must request one in writing and pay a jury fee.
6. If you need an interpreter, you must ask for one in writing.
7. You may wish to consult a lawyer. You may contact the State Bar of New Mexico for help finding a lawyer at www.nmbar.org; 1-800-876-6657; or 1-505-797-6066.

Dated at Taos, New Mexico, this 3rd day of September, 2014.

BERNABE P. STRUCK

CLERK OF DISTRICT COURT

By: 
Court Clerk II

/s/ William S. Ferguson

Signature of Attorney for Plaintiff/Pro Se Party

WILLIAM S. FERGUSON

Attorneys for Plaintiffs

RETURN¹

[] to _____, [parent] [guardian] [custodian] [conservator] [guardian ad litem] of
defendant *(used when defendant is a minor or an incompetent person).*

[] to _____ (*name of person*), _____, (*title of person authorized to receive service. Use this alternative when the defendant is a corporation or an association subject to a suit under a common name, a land grant board of trustees, the State of New Mexico or any political subdivision*).

Fees: _____

Signature of person making service

Title (*if any*)

Subscribed and sworn to before me this _____ day of _____, _____²

Judge, notary or other officer
authorized to administer oaths

Official title

USE NOTE

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4-206. Summons.

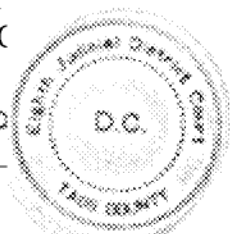
[For use with District Court Civil Rule 1-004 NMRA]

SUMMONS FIRST AMENDED COMPLAINT	
District Court: EIGHTH JUDICIAL Taos County, New Mexico Court Address: 105 Albright Street, Ste. N Taos, New Mexico 87571 Court Telephone No.: 575-758-3173	Case Number: D.820.CV.2014.00300 Assigned Judge: The Honorable Sarah Backus
WAYNE RUTHERFORD, Plaintiff, v. THEODORE PUTNAM, CTL THOMPSON, INC. JOHN DOE and AGNES YAZZIE, Defendant.	Defendant AGNES YAZZIE Box 392 Kirtland, NM 87417

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4. If you do not respond in writing, the Court may enter judgment against you as requested in the lawsuit.
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7. You may wish to consult a lawyer. You may contact the State Bar of New Mexico for help finding a lawyer at www.nmbar.org; 1-800-876-6657; or 1-505-797-6066.

Dated at Taos, New Mexico, this 3rd day of September, 2014.

BERNABE P. STRUCK
CLERK OF DISTRICT COURTBy: *Honorable*
Court Clerk II

/s/ William S. Ferguson

Signature of Attorney for Plaintiff/Pro Se Party
WILLIAM S. FERGUSON

RETURN¹

[] to _____, [parent] [guardian] [custodian] [conservator] [guardian ad litem] of

defendant _____ (*used when defendant is a minor or an incompetent person*).

[] to _____ (*name of person*), _____, (*title of person authorized to receive service. Use this alternative when the defendant is a corporation or an association subject to a suit under a common name, a land grant board of trustees, the State of New Mexico or any political subdivision*).

Fees: _____

Signature of person making service

Title (*if any*)

Subscribed and sworn to before me this _____ day of _____, _____²

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FXR

STATE OF NEW MEXICO
COUNTY OF TAOS
EIGHTH JUDICIAL DISTRICT COURT

NO.

Wayne Rutherford
Plaintiff(s),

No. D. 820-CV-2014.00300

vs.

Theodore Putnam, CTL THOMPSON, LLC.
Defendant(s)

Anges Yazzie,

1ST AMENDED

John Doe

PLAINTIFF(S) - DEFENDANT(S)
CIVIL CASE INFORMATION SHEET

I. Judge Assigned:

II. Jury 6 _____ Jury 12 X Non-Jury _____

III. Parties:

A. Plaintiff(s) Wayne Rutherford Plaintiff's attorney William S. Ferguson
Address 90 Will Ferguson Address 1720 Louisiana Blvd NE
Telephone number 505.243.5566 Telephone number 505.243.5566 #100B. Defendant(s) Theodore Putnam Defendant's attorney
Address Aurora, CO Address N/A
Telephone number Telephone numberC. Other party(ies) CTL Thompson Inc Other party(ies) attorney
Address Denver, CO Address N/A
Telephone number Telephone number

D. Anges Yazzie *

IV. Date the Complaint was filed: 9.3.14

Estimated date by which all parties will be served: 9.30.14

Estimated date by which all parties will be of record: 10.15.14

V. Cause of Action: Plaintiff (P) / Defense (D) - Give a brief explanation of the cause of action or defense.

Automobile accident

E. JOHN DOE

VI. Estimated number of witnesses: 5 - 10
Estimated number of expert witnesses: 1 - 5

VII. Estimated period of time needed for discovery: 6 mos.

VIII. Estimate when this case will be ready for trial: 2015

IX. Estimate the number of days needed for trial: 3 - 4 days

X. Track assignment requested: (Expedited, Standard or Complex. Refer to definitions of tracks contained in Differentiated Case Management / Civil Cases Information Packet).

Briefly state the reason for the requested track assignment.

Standard
per

Attorney for Plaintiff-Defendant or
Self-represented Plaintiff-Defendant
Address
Telephone number

THE ATTORNEY OR SELF-REPRESENTED PARTY IS HEREBY GIVEN NOTICE THAT A COPY OF THIS CIVIL CASE INFORMATION SHEET MUST BE DELIVERED TO THE ASSIGNED JUDGE.

City and County
of Denver
Michael Hancock
Mayor

DENVER SHERIFF

DEPARTMENT

City and County of Denver

RECEIVED
DISTRICT COURT
DSD Civil Division
201 W Colfax Ave 1st fl
Denver CO 80202
726-4459556
FILED IN MY OFFICE
9/22/2014 2:22 PM
BERNABE P. STRUCK
DISTRICT COURT CLERK

BLK

Report Date Wednesday, September 17 2014

Report Name: Invoice Print

Jacket Id	Court Case Number	Entry Date	Service Name
0197398	D.820.CV.201 4.00300	14 SEP 2014	Summons

Name Type	Name	Address	City	State	Zip Code
Attorney	WILL FERGUSON AND ASSOCIATES	1720 LOUISIANA BLD NE. SUITE 100	ALBUQUERQUE	NM	87110
Plaintiff	WAYNE RUTHERFORD			NM	
Defendant	CTL THOMPSON, INC	22 LIPAN STREET	Denver	CO	80223
To Be Served	CTL THOMPSON, INC	22 LIPAN STREET	Denver	CO	

Total Charges	\$ 38.85	Prepaid Amount	\$ 38.85	Balance Due	\$.00
---------------	----------	----------------	----------	-------------	--------

Report Name: Invoice Print This is a statement of balance due. Please remit upon receipt. Thank You.

Jacket Id
Finding: Served

Comments: SERVED

Name Type
Attorney
Plaintiff
Defendant
To Be Served

Name
WILL FERGUSON AND ASSOCIATES
WAYNE RUTHERFORD
CTL THOMPSON, INC
CTL THOMPSON, INC

Total Charges \$ 38.85

Report Name: Invoice Print This is a statement of balance due. Please remit upon receipt. Thank You.

Finding: Served

Comments: SERVED

Name Type
Attorney
Plaintiff
Defendant
To Be Served

Name
WILL FERGUSON AND ASSOCIATES
WAYNE RUTHERFORD
CTL THOMPSON, INC
CTL THOMPSON, INC

City and County
of Denver
Michael Hancock
Mayor

DENVER SHERIFF
DEPARTMENT
City and County of Denver

DSD Civil Division
201 W Colfax Ave 1st fl
Denver, CO 80202
720-865-9556

BUSINESS

STATE OF COLORADO } ss.
CITY AND COUNTY OF DENVER } ss.

Case Number: D.820.CV.2014.00300
Jacket Number: 0197398

I do hereby certify that I have duly served the within Summons by delivering a true copy thereof, with attachments listed below, in the within described action thereto attached, to the within named CTL THOMPSON, INC, herein called the "said party", by its agent for service, by leaving said copy/copies with DAMON THOMAS, said party's MANAGER at said party's usual place of business, at 22 LIPAN STREET, in the City and County of Denver, State of Colorado, on 09-16-2014 at 08:50 AM hours.

By

Alex Medina
Deputy Sheriff

STATE OF COLORADO } ss.
CITY AND COUNTY OF DENVER } ss.

Operator Code: HOWARDV

I do hereby certify that I have duly served the within Summons by delivering a true copy thereof, with attachments listed below, in the within described action thereto attached, to the within named CTL THOMPSON, INC, herein called the "said party", by its agent for service, by leaving said copy/copies with DAMON THOMAS, said party's MANAGER at said party's usual place of business, at 22 LIPAN STREET, in the City and County of Denver, State of Colorado, on 09-16-2014 at 08:50 AM hours.

Return Date September 17, 2014 9:08 AM

Comments: SERVED

Attachments:

SUMMONS FIRST AMENDED COMPLAINT
AMENDED COMPLAINT FOR MONEY DAMAGES
CIVIL CASE INFORMATION SHEET
PLAINTIFF 1ST SET OF INTERROGATORIES AND REQUEST FOR
FOR PRODUCTION TO DEFENDANT CTL THOMPSON, INC
2 COPIES OF EACH

Return Date September 17, 2014 9:08 AM

Comments: SERVED

BLK

2014 - 00006273
Docket #: 20CV201400300IN THE DISTRICT COURT OF THE STATE OF NEW MEXICO
IN AND FOR THE COUNTY OF TAOSPLAINTIFF) RUTHERFORD WAYNE
)
VS)
)
DEFENDANT) PUTNAM THEODORE

CIVIL ACTION NO.: 20CV201400300

RETURN OF SERVICE ON: THEODORE PUTNAM

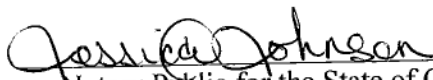
STATE OF COLORADO)
) ss
COUNTY OF ARAPAHOE)

I DALE PRATT being a Civil Clerk, depose and say; that I am a citizen of the United States and a resident of the State of Colorado, over the age of twenty-one years. That I am not a party to, nor interested in the above entitled action; that I am an employee of the Arapahoe County Sheriff's Office, in the County of Arapahoe, State of Colorado; that I received the attached *INTERROGATORIES* on 09/16/2014, and personally served the same on the 18 of September 2014 at 11:20 AM by handing to and leaving with **THEODORE PUTNAM**, PERSONALLY at 13101 E BRONCOS PK, CENTENNIAL, ARAPAHOE COUNTY, COLORADO 80112, a true copy thereof, together with copy of: (*PLAINTIFF'S 1ST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION TO DEFENDANT THEODORE PUTNAM*) attached thereto.

Dated: September 18, 2014

DAVID C. WALCHER, SHERIFF
ARAPAHOE COUNTY, COLORADO
01047 DALE PRATT - SENIOR CIVIL CLERK

Subscribed and sworn before me this

19th day of September 2014
Notary Public for the State of Colorado

IN THE STATE OF NEW MEXICO
COUNTY OF TAOS
EIGHTH JUDICIAL DISTRICT COURT

cc

WAYNE RUTHERFORD,

Plaintiff,

v.

Cause No. D-820-CV-2014-00300

THEODORE PUTNAM,
CTL THOMPSON, INC., JOHN DOE
and AGNES YAZZIE,


Defendants.

ENTRY OF APPEARANCE

COMES NOW, the Law Offices of Eva K. Blazejewski (Eva K. Blazejewski),
and hereby enters its appearance of record on behalf of Defendants Theodore
Putnam and CTL Thompson, Inc., in the above-styled action.

Respectfully Submitted,

LAW OFFICES OF EVA K. BLAZEJEWSKI

By  _____

Eva K. Blazejewski
Attorneys for Defendants Putnam and
CTL Thompson, Inc.
6000 Uptown Boulevard NE, Suite 450
Albuquerque, NM 87110
(505) 872-3122
eva.blazejewski@thehartford.com

I hereby certify that a true and correct copy of the foregoing pleading was served through the Court's Odyssey e-filing system to:

William S. Ferguson, Esq.
Will Ferguson & Associates
1720 Louisiana Blvd. NE, Suite 100
Albuquerque, NM 87110
will@fergusonlaw.com

this 9th day of October, 2014.



Eva K. Blazejewski

IN THE STATE OF NEW MEXICO
COUNTY OF TAOS
EIGHTH JUDICIAL DISTRICT COURT

cc

WAYNE RUTHERFORD,

Plaintiff,

v.

Cause No. D-820-CV-2014-00300

THEODORE PUTNAM,
CTL THOMPSON, INC., JOHN DOE
and AGNES YAZZIE,

Defendants.

**DEFENDANTS THEODORE PUTNAM AND CTL
THOMPSON, INC.'S ANSWER TO PLAINTIFF'S AMENDED
COMPLAINT FOR MONEY DAMAGES**

Defendants Theodore Putnam and CTL Thompson, Inc., (hereinafter referred to as Defendants Putnam and CTL) by and through their attorneys of record, Law Offices of Eva K. Blazejewski (Eva K. Blazejewski), hereby submits its Answer to Plaintiff's Amended Complaint as follows:

1. Defendants Putnam and CTL are without information and knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of Plaintiff's Amended Complaint and, therefore deny the same and demand strict proof thereof.
2. Defendants Putnam and CTL admit the allegations contained in paragraph 2 of Plaintiff's Amended Complaint.
3. Defendants Putnam and CTL admit the allegations contained in paragraph 3 of Plaintiff's Amended Complaint.

4. Defendants Putnam and CTL are without information and knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 4 of Plaintiff's Amended Complaint and, therefore deny the same and demand strict proof thereof.

5. Defendants Putnam and CTL admit the allegations contained in paragraph 5 of Plaintiff's Complaint.

6. Defendants Putnam and CTL are without information and knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 6 of Plaintiff's Amended Complaint and, therefore deny the same and demand strict proof thereof.

7. Defendants Putnam and CTL are without information and knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 7 of Plaintiff's Amended Complaint and, therefore deny the same and demand strict proof thereof.

COUNT I

NEGLIGENCE AND NEGLIGENCE PER SE OF DEFENDANT PUTNAM

8. Defendants Putnam and CTL reallege and incorporate by reference herein all responses and answers to paragraphs 1 through 7 contained in Plaintiff's Amended Complaint.

9. Defendants Putnam and CTL can neither admit nor deny paragraph

9 of Plaintiff's Amended Complaint, including sub-parts A through E as it does not state a factual allegation. Defendants Putnam and CTL further state that the New Mexico Motor Vehicle Code speaks for itself.

10. Defendants Putnam and CTL deny the allegations contained in paragraph 10 of Plaintiff's Amended Complaint.

11. Defendants Putnam and CTL are without information and knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 11 of Plaintiff's Amended Complaint and, therefore deny the same and demand strict proof thereof.

COUNT II

RESPONDEAT SUPERIOR AND NEGLIGENCE OF CTL THOMPSON

12. Defendants Putnam and CTL reallege and incorporate by reference herein all responses and answers to paragraphs 1 through 11 contained in Plaintiff's Amended Complaint.

13. Defendants Putnam and CTL admit the allegations contained in paragraph 13 of Plaintiff's Amended Complaint that Putnam was in the course and scope of his employment with CTL Thompson at the time of the accident. Defendants Putnam and CTL further deny any negligence on the part of CTL Thompson.

14. Defendants Putnam and CTL deny the allegations contained in paragraph 14 of Plaintiff's Amended Complaint.

COUNT III

PUNITIVE DAMAGES AGAINST PUTNAM

15. Defendants Putnam and CTL reallege and incorporate by reference herein all responses and answers to paragraphs 1 through 14 contained in Plaintiff's Amended Complaint.

16. Defendants Putnam and CTL deny the allegations contained in paragraph 16 of Plaintiff's Amended Complaint.

COUNT IV

NEGLIGENCE AND NEGLIGENCE PER SE OF YAZZIE

17. Defendants Putnam and CTL reallege and incorporate by reference herein all responses and answers to paragraphs 1 through 16 contained in Plaintiff's Amended Complaint.

18. Defendants Putnam and CTL can neither admit nor deny the allegations contained in paragraph 18 of Plaintiff's Amended Complaint and state that the New Mexico State Motor Vehicle Code speaks for itself.

19. Defendants Putnam and CTL can neither admit nor deny the allegations contained in paragraph 19 of Plaintiff's Amended Complaint and state that the New Mexico State Motor Vehicle Code speaks for itself.

20. Defendants Putnam and CTL are without information and knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 20 of Plaintiff's Amended Complaint and, therefore deny the same and demand strict proof thereof.

21. Defendants Putnam and CTL are without information and knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 21 of Plaintiff's Amended Complaint and, therefore deny the same and demand strict proof thereof.

22. Defendants Putnam and CTL are without information and knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 22 of Plaintiff's Amended Complaint and, therefore deny the same and demand strict proof thereof.

23. Defendants Putnam and CTL are without information and knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 23 of Plaintiff's Amended Complaint and, therefore deny the same and demand strict proof thereof.

COUNT V

NEGLIGENCE AND NEGLIGENCE PER SE OF DEFENDANT DOE

24. Defendants Putnam and CTL reallege and incorporate by reference herein all responses and answers to paragraphs 1 through 23 contained in Plaintiff's Amended Complaint.

25. Defendants Putnam and CTL are without information and knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 25 of Plaintiff's Amended Complaint and, therefore deny the same and demand strict proof thereof.

26. Defendants Putnam and CTL are without information and

knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 26 of Plaintiff's Amended Complaint and, therefore deny the same and demand strict proof thereof.

27. Defendants Putnam and CTL are without information and knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 27 of Plaintiff's Amended Complaint and, therefore deny the same and demand strict proof thereof.

28. Defendants Putnam and CTL are without information and knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 28 of Plaintiff's Amended Complaint and, therefore deny the same and demand strict proof thereof.

29. Defendants Putnam and CTL are without information and knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 29 of Plaintiff's Amended Complaint and, therefore deny the same and demand strict proof thereof.

GENERAL DENIAL

1. Any allegations contained in Plaintiff's Amended Complaint which are not specifically admitted herein are denied.

ADDITIONAL DEFENSES

1. The injuries and damages claimed by Plaintiffs, if any, were the result of the negligence and/or negligence per se of other persons or entities, including the Plaintiff, and the negligence and/or negligence per se of all parties